

## REMARKS

Claims 1-17 are pending.

Claims 1-17 are rejected.

Claims 18-22 are withdrawn.

Claims 1, 2, 3, 7, 8, 10, 11, 12, 13, 14, 16, and 17 are amended to replace the plural "set of triggers" to a single trigger. Similar changes were made to these claims to eliminate such "set" language.

Claims 1 and 10 are amended to further distinguish the concept of a trigger. Specifically, the inventors' use of the term trigger is to be distinguished over regular metadata (such a program time or title) that would be present in program guide data. A trigger is used to "notify the user, and or/the user's system, that enhanced content is available," (Application, page 8, lines 12-17).

No new matter was added in view of these amendments.

### ***I. 35 U.S.C. § 102 Rejection of Claims 1-17***

The Examiner rejected Claims 1-17 under 35 U.S.C. § 102(e) as being anticipated by Ellis et al. (U.S. Patent # 6,898,762, hereafter Ellis). The Applicants disagree with this ground of rejection.

Claim 1, as amended, claims, "said trigger indicates the presence of said enhanced content programming." This claimed feature is neither disclosed nor suggested in Ellis. Specifically, when the Examiner cites to the data of the program guide of Ellis as establishing as anticipating the use of "triggers" as claimed in Claim 1.

Applicants note that Ellis identifies the program guide data as, "television programming data (e.g., program identifiers, times, channels, titles, descriptions, series identifiers, etc) and other data for services other than television program listings (e.g., help text, pay-per-view information, weather information, sports information, music channel information, associated Internet web links, associated software, etc.), (Ellis, col. 4, lines 49-60). That is, such information represents passive descriptive data that lists programs or other services. There is no disclosure or suggestion that such television programming data is "embedded in

one of said plurality of enhanced content programming" as recited in Claim 1. Ellis represents that such programming data is actually auxiliary data that is not actually in a television program or service.

Moreover, as claimed, such programming television data is not the same thing as a trigger which specifically inserted into enhanced content programming to "indicate[s] the presence of said enhanced content programming" as in Claim 1. Specifically, a trigger represents an active event (see Application, page 8, lines 12-17, and in other places) which is used to perform an active event (such as the notification of enhanced programming if such programming matches a filter setting). That is, it is the enhanced programming itself that accomplishes such as action, where the trigger in such programming is capable of identifying the presence of enhanced programming, as long as such a trigger embedded in such enhanced programming. Ellis is different because the disclosed television programming data is not a trigger, and comes from a separate source (such as main facility (12) and is not embedded in programming from a local information service (15) or data source (14) (Ellis, col. 1, lines 11-47).

Applicants assert that Claim 10 is patentable because the claimed trigger is different than the disclosed descriptive information of Ellis, for the same reasons as listed above for Claim 1.

Applicants also note the features of Claim 7 are not disclosed or suggested in Ellis. Specifically, Claim 7 claims that "current receiver programming" is overridden and "enhanced content programming" is directed to the "receiver immediately upon detection". The cited to section of Ellis discloses a preset alarm alert that indicates if a programming is airing or when such a program will air (Ellis, col. 17, lines 36-41). Ellis is different than the teachings of Claim 7 because "enhanced content programming" is not directed to a receiver upon detection. Ellis does not disclose the use of triggers in content nor does it provide a framework over overriding current programming with enhanced content programming, when such programming is immediately detected. This feature is however disclosed and is claimed in Claim 7.

Applicants request a three-month extension from the November 22, 2005 date for which this response was originally due. Please charge the fee for this

extension, and any other fees owned in connection with this action to Deposit Account 07-0832. Applicants note that because of the change in ownership of this patent application, that Thomson Licensing is a large entity status (not a small entity status).

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application is in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

  
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